

**State of Louisiana
Secretary of State**

05/14/2020

Legal Services Section
P.O. Box 94125, Baton Rouge, LA 70804-9125
(225) 922-0415

TRAVELERS INDEMNITY COMPANY
C/O CORPORATION SERVICE COMPANY
501 LOUISIANA AVENUE
BATON ROUGE, LA 70802-5921

Suit No.: 200933
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH

DANNY NEAL
vs
THE TRAVELERS INDEMNITY COMPANY

Dear Sir/Madam:

I am enclosing a citation served in regard to the above entitled proceeding. If you are not the intended recipient of this document, please return it to the above address with a letter of explanation. All other questions regarding this document should be addressed to the attorney that filed this proceeding.

Yours very truly,

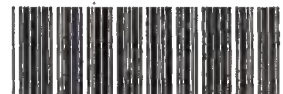
R. KYLE ARDOIN
Secretary of State

Served on: R. KYLE ARDOIN
Served by: E CUMMINS

Date: 05/11/2020
Title: DEPUTY SHERIFF

No: 1158278

JN



EXHIBIT

A



OPC.CV.5990809
CE

208

CITATION

DANNY NEAL

VS

**THE TRAVELERS INDEMNITY
COMPANY**

DOCKET NUMBER: C-20200933

SEC: C1

STATE OF LOUISIANA

PARISH OF OUACHITA

FOURTH JUDICIAL DISTRICT COURT

EAST BATON ROUGE PARISH

TO:

**THE TRAVELERS INDEMNITY COMPANY
THROUGH THE SECRETARY OF STATE
8585 ARCHIVES AVENUE
BATON ROUGE, LA 70809**

**SERVED ON
R. KYLE ARDOIN**

MAY 11 2020

**SECRETARY OF STATE
COMMERCIAL DIVISION**

YOU HAVE BEEN SUED.

Attached to this Citation is a certified copy of the Petition. The petition tells you what you are being sued for.

You must **EITHER** do what the petition asks, **OR**, within **FIFTEEN (15) days** after you have received these documents, you must file an answer or other legal pleadings in the Office of the Clerk of this Court at the Ouachita Parish Court House, 301 South Grand, Monroe, Louisiana.

If you do not do what the petition asks, or if you do not file an answer or legal pleading within **FIFTEEN (15) days**, a judgment may be entered against you without further notice.

This Citation was issued by the Clerk of Court for Ouachita Parish, on this **MARCH 18, 2020**.

OUACHITA PARISH CLERK OF COURT

Also attached are the following:
PETITION FOR DAMAGES

CHLOE ELLINGTON

By: _____
Deputy Clerk

FILED BY: DANIELLE L. SMITH#34095

_____ **ORIGINAL**

_____ **SERVICE COPY**

_____ **FILE COPY**

**CERTIFIED
TRUE COPY**

MAY 18 2020
BY: _____
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

**4TH JUDICIAL DISTRICT
FOR THE PARISH OF OUACHITA
STATE OF LOUISIANA**

NO. 20-0933

DIVISION " "

DANNY NEAL

VERSUS

THE TRAVELERS INDEMNITY COMPANY

MAR 18 2020

FILED: _____

CHLOE ELLINGTON

DEPUTY CLERK

PETITION FOR DAMAGES

NOW INTO COURT, through undersigned counsel, comes Petitioner, Danny Neal, a person of the full age of majority and a resident of and domiciled in the Parish of Ouachita, State of Louisiana, who, with respect, shows the Court as follows:

I.

That The Travelers Indemnity Company, made a party defendant herein, is a foreign insurance company authorized to do and doing business in the State of Louisiana at all times relevant hereto. That said Defendant is liable to Plaintiff for the following:

II.

That on or about July 24, 2018 at approximately 1:00 P.M., Danny Neal was operating a 2015 International Prostar TT, with the permission of his employer, Louisiana Plastic Industries, Inc., in the right, southbound lane of Interstate 35 near mile marker 484, in the County of Cooke, State of Texas.

III.

That at approximately the same time and place, an unknown, unidentified driver in a pick-up truck, was traveling in the left, southbound lane of Interstate 35 near mile marker 484, in the County of Cooke, State of Texas.

IV.

That at approximately the same time and place, the unknown, unidentified driver, carelessly and without warning, changed from the left lane of travel into the right lane and into the path of the 2015 International Prostar TT driven by Danny Neal.

V.

That as a result of the aforesaid, the vehicle operated by Danny Neal was caused to exit the roadway and turned over on its side beside Interstate 35.

VI.

As a result of the aforesaid incident sued on herein was the sole fault of and proximately caused by an unknown, unidentified driver, in the following, non-exclusive, respects:

- (a) by changing from the left lane to the right lane of Interstate 35 without first assuring it was safe to do so and therefore causing the vehicle driven by Danny Neal to leave the roadway;
- (b) by failing to maintain reasonable and proper control of the vehicle under his control upon a public road;
- (c) by operating the vehicle under his control in a reckless and negligent manner; and
- (d) by failing to see what should be seen.

VII.

That as a result of the aforesaid collision, Danny Neal has sustained serious injuries to his neck, shoulders, and back together with past and future mental anguish and physical suffering; past and future loss of enjoyment of life; past and future expenses for medical care; past and future loss of earnings and impaired earning capacity; all of which entitles Plaintiff, Danny Neal, to recover from Defendant the damages as are reasonable in the premises.

VIII.

Petitioner further shows that, at all times mentioned hereinabove, there was in full force and effect a policy of Uninsured Motorist (UM) insurance issued by Defendant, The Travelers Indemnity Company, under the terms and conditions of which said insurer agreed to provide uninsured motorist coverage to Plaintiff; that the evidence in this case will reflect that the identity of the driver of the pick-up truck is unknown and that the unidentified driver did not stop and identify himself to Danny Neal and/or the investigating authorities at any time relevant hereto; therefore, the unknown motorist is uninsured pursuant to the terms of the policy of insurance issued by Defendant, The Travelers Indemnity Company, and pursuant to the law of Louisiana; and, therefore, The Travelers Indemnity Company is a proper party Defendant herein.

IX.

That on or about September 24, 2019 Petitioner made a demand for payment under the UM policy issued by The Travelers Indemnity Company, to which Defendant arbitrarily denied coverage to the Petitioner, Danny Neal, and therefore, Travelers Insurance Company is in breach of the contract of the uninsured motorist policy with him.

X.

Petitioner shows that this case involves damages which exceed the minimum requirements for trial by jury.

WHEREFORE, Petitioner, Danny Neal, prays that Defendant, The Travelers Indemnity Company, be served with a certified copy of this petition, and after being duly cited to appear and answer hereto, and after the expiration of all legal delays and due proceedings are had, that there be judgment rendered herein in favor of Petitioner, Danny Neal, and against Defendant, The Travelers Indemnity Company, for damages as are reasonable in the premises; each of said judgments to bear legal interest from the date of judicial demand until paid and for all costs of these proceedings.

RESPECTFULLY SUBMITTED:

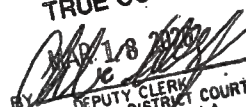
MORRIS BART, LLC
ATTORNEY FOR PLAINTIFF
601 POYDRAS STREET, 24TH FLOOR
NEW ORLEANS, LA 70130
TELEPHONE: (504) 525-8000
FACSIMILE: (800) 852-6599
E-MAIL: dsmith@morrisbart.com

BY: 

DANIELLE L. SMITH, NO. LA 34095

PLEASE SERVE:

THE TRAVELERS INDEMNITY COMPANY
Through its Agent for Service of Process
The Louisiana Secretary Of State
8585 Archives Avenue
Baton Rouge, LA 70809

CERTIFIED
TRUE COPY
MAY 18 2020
BY 
DEPUTY CLERK
4TH JUDICIAL DISTRICT COURT
OUACHITA PARISH, LA

R. KYLE ARDOIN
SECRETARY OF STATE
P.O. BOX 94125
BATON ROUGE, LA 70804-9125



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FIRST CLASS



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